

# Notice of Allowability

Application No.

10/798,488

Examiner

Zachary M. Pape

Applicant(s)

HAMADA ET AL.

Art Unit

2835

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/9/2005.
2. ☒ The allowed claim(s) is/are 1,3-6 and 21-28.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 9/6/05, 5/23/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 10/17/05.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement (IDS) submitted on 5/23/2005, 9/6/2005 was filed after the mailing date of the application on 3/11/2004. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Response to Amendment***

2. The objection to the oath (See Office Action dated 5/12/2005) has been withdrawn in light of the remarks by the applicant (See remarks dated 8/9/2005).

### ***Election/Restrictions***

3. This application contains claims directed to the following patentably distinct species of the claimed invention:

| <b><u>Species</u></b> | <b><u>Figures</u></b> | <b><u>Claims</u></b> |
|-----------------------|-----------------------|----------------------|
| I                     | 3-5                   | 1, 3-6, 21-28        |
| II                    | 9-10                  | 29-35                |

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

During a telephone conversation with Bill Schaal (39,018) on 10/13/2005 a **provisional election was made without traverse to prosecute the invention of species I, claims 1, 3-6, 21-28.** Affirmation of this election must be made by applicant in replying to this Office action. Claims 29-35 withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

#### **EXAMINER'S AMENDMENT**

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Bill Schaal (39,018) on 10/13/2005. The application has been amended as follows:

**Claims 29 through 35 have been canceled.**

#### ***Allowable Subject Matter***

5. Claims 1, 3-6, 21-28 are allowed.

The following is an examiner's statement of reasons for allowance:

The allowability resides in the overall structure of the device as recited in independent claims 1 and 21 and at least in part because said claims 1 recites, "the reinforcing plate being stacked on the inner surface of the bottom wall, and the bottom wall being placed between the input device and the reinforcing plate, wherein the

reinforcing plate has a frame and coupling portions surrounded by the frame, the coupling portions pass through a center of gravity of the reinforcing plate and a plurality of opening portions are provided between the frame and the coupling portions” and because said claim 21 recites, “the mounting portion including a bottom wall and a plurality of side walls extending from the bottom wall” and, “a reinforcing plate configured to reinforce the bottom wall of the mounting portion with the bottom wall positioned between the keyboard base and the reinforcing plate, the reinforcing plate including a frame and coupling portions surrounded by the frame, the coupling portions pass through a center of gravity of the reinforcing plate and a plurality of opening portions are provided between the frame and the coupling portion”

The aforementioned limitations in combination with all remaining limitations of claims 1 and 21 respectively are believed to render said claims 1 and 21 and all claims dependent therefrom (3-6, and 22-28 respectively) patentable over the art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 1-4, and 6 have been considered but are moot in view of the newly amended claims which have been allowed per the present office action.

***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zachary M. Pape whose telephone number is 571-272-2201. The examiner can normally be reached on Mon. - Thur. & every other Fri. (8:00am - 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached at 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ZMP

A handwritten signature in black ink, appearing to read 'A. Vortman', with a long horizontal flourish extending to the right.

**ANATOLY VORTMAN  
PRIMARY EXAMINER**